IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 2343 OF 2007
IN
INCOME TAX APPEAL LODGING NO. 1312 OF 2007

The Commissioner of Gift Tax-19. ..Appellant.
Vs.
Ms. Farzana F. Mitha. ..Respondent.

Mr.R.G.Bhat,Advocate for the Appellant.

None for the Respondent.

CORAM : F.I. REBELLO & R.S. MOHITE, JJ.
DATED : 11TH DECEMBER,2007.

PC :

1. This is a Notice of Motion for condoning 150 days delay in filing the aforesaid main tax appeal. On perusal of the affidavit in support of the Notice of Motion, it is seen that the draft of appeal memo was received from the Advocate on 10.1.2007 and the stamp paper was received on 24.4.2007. Inspite of this, the appeal has been filed on 14.6.2007 by causing delay of more than six months. The period between 10.1.2007 and 14.6.2007 is not satisfactorily explained. In our opinion, the cause shown is not sufficient cause.

Hence, Notice of motion is dismissed.

(R.S. MOHITE, J.) **(F.I. REBELLO, J.)**

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PC :

1. As the Notice of motion for condonation of delay has been dismissed, appeal also stands dismissed. Refund of court fee as per rules. Certified copy expedited.

(R.S. MOHITE, J.) **(F.I. REBELLO, J.)**